

MIDDLE CANYON LAND USE ADVISORY COMMITTEE (MCLUAC)
MINUTES OF THE MEETING
NOVEMBER 29, 2022

CALL TO ORDER 6:00 PM

A meeting of the Middle Canyon Land Use Advisory Committee was called to order at approximately 6:00 p.m. at Coram-West Glacier Volunteer Fire Department, Coram, Montana. Board members present were Aubrie Loroña (via Zoom), Victoria Lee, Lexi Woods, Joe Hoff, and Mike Kopitzke.

There were 5 members of the public in attendance. There were 2 members of the public in attendance via Zoom. There was 1 member, Zachary Moon, in attendance to represent the Flathead Planning and Zoning Office.

APPROVAL OF MEETING AGENDA 6:01 PM

Suggested edits:

1. *The FCMU-22-02 will be a part of the Public Hearing section, not New Business.*
2. *Update to Old Business: added "MCLUAC Board Member Vacancies Updates"*
3. *Update to New Business: No new business.*

Kopitzke made a motion, seconded by Hoff, to approve the November 29, 2022 meeting agenda with suggested changes.

APPROVAL OF MEETING MINUTES 6:02 PM

Hoff made a motion, seconded by Kopitzke, to approve the October 25, 2022 meeting minutes as amended.

PUBLIC COMMENT (Public matters that are within the jurisdiction of the Middle Canyon Land Use Advisory Committee 2-3-103 M.C.A)

6:03 PM – Over/Underpass Project Update. The committee has collected enough donations to pay the Center for Native Plants. They are still working on funding other projects and are working with the Rotary Club to submit an article in the newspaper. The group will begin work on east side of the overpass after they have secured funding.

6:06 PM – Darwon Stoneman stated that he owns property to the east of Glacier Outdoor Center that he purchased from the Lundgrens. It has restrictive covenants on it such as restricted commercial use. It is currently zoned as 'single-family dwellings only' so it would need to be divided into 10-acre parcels if sold off. The property was logged in 2004 and he is looking to log it again. The property has an easement with Glacier Raft Co. He has no plans to sell anything immediately but possibly in two to three years.

Committee members disclose any conflict of interests 6:10 PM

None

Public Hearings 6:10 PM

FCMU-22-02 A request from Mary Lee Thamert, for a Major Land Use Permit to allow for a creation of a single-family dwelling on the property located at 140 River Bend Court, West Glacier,

MT. The proposal would change the use of the existing manufactured home to a 'Guest Cabin' and the new structure would be defined as the 'Single-Family Dwelling'. The property contains approximately 0.53 acres and is located within the Middle Canyon area of the C.A.L.U.R.S (Canyon Area) Zoning District. The property can legally be described as Tract 1F in Government Lot 3 in Section 35, Township 32 North, Range 19 West, P.M.M., Flathead County, Montana. The Planning Office anticipates the Committee will forward a recommendation to the board following discussion of the item listed above. This agenda item will be reviewed by the Flathead County Planning Board on January 11, 2023.

The property is currently developed with a Class A manufactured home and is accessed by River Bend Court which is a private gravel road within an easement of 40-feet. There is a structure currently under construction on the lot, that is presumed to be the new single-family residence. The applicant is requesting a major land use permit to allow for the placement of a second residential structure, to be defined as a single-family residence, and the existing manufactured home, currently defined as the single-family residence, will become a guest cabin. The single-family residence is currently under construction so this is an after-the-fact request. If approved, the new building would need to be moved to meet the set-back requirements.

Information from the Applicant: "Over the past 2+ months, I have spoken to several Planners in the department – each with a different plan (name) for our small 3-room, 512 sq. ft. remodeled structure: 1 large sleeping room, a bathroom, and a utility room. These suggestions included (1) Do not do a permit; it is probably possible to do only a waiver. (2) Just build on enclosed structure like a hallway between the little structure and the trailer. (3) We can call it a cottage – but it cannot have a kitchen. (4) Make the small structure the "family residence" and the house trailer the "guest cabin." (5) Most recently, "you must have a 20' setback to the rear." There has never been a 20' setback, always 10'.

Our plan is to put in a new septic system to connect both structures as the original one on the property is 50 years old. Our permit has been approved and now waiting for your decision on what to call the 3-room remodel. My family and I have owned 148 River Bend Ct for nearly 50 years. My husband is deceased and I am 88 years old and require everyday assistance. I reside in the cabin on this property; the cabin is approximately 700 sq. feet with a small loft. Because I have one daughter staying in this loft and helping me, my plan was to have her utilize the 3-room little building for sleeping. In prior years, this building was called the "bunk house" and used for sleeping.

Re: Fire Access Road has been maintained by the adjacent property owners for the past 50 years. It has been moved and kept free of tree growth. This access was extremely important during the time of the Robert Fire in GNP in 2003 and again in 2017. We remember the Somers-Lakeside Vol. Fire Dept was stationed directly behind us with 1 truck and 3 men for the Robert Fire. I spoke with the Somers Fire Dept and they were aware of this. I spoke with Walter Tabb of the Coram-West Glacier Vol. Fire Dept who also indicated that they are and always have been aware of the accessibility of this road. All property owners have utilized this road to deliver materials and etc, to the property and all these years while maintaining the access."

Further discussion was had regarding the possible options that the Thamert Family might consider since a Major Land Use Permit might not be the best way-ahead. Mary Thamert stated that the reason they applied for the Major Land Use Permit was because it was the advice from the County.

Whether the permit is approved or disapproved, the new building will need to be moved to meet the setback requirements. It was determined that the side setback is not an issue but the rear setback is. Combining the lot would also be more problematic. Currently, there can be 2 structures on the property. A change in use, size, or location nullifies anything being grandfathered.

7:12 PM – Motion to vote on Application. Kopitzke motioned to table or make no recommended to the County. Woods seconded the motion. Unanimously agreed.

The Flathead County Planning Board will hold a meeting on January 11, 2023 in the 2nd floor conference room of the South Campus Building, 40 11th Street West, Kalispell, Montana. During this meeting, the Board will hold a public hearing to consider the agenda items described below and make a recommendation to the Board of County Commissioners who will take final action.

OLD BUSINESS

7:12 PM – By-Laws Working Committee Presentation. Still under review.

7:12 PM – MCLUAC Board Member Vacancies. So far there has been one applicant. Chairman, Aubrie Loroña, asked to extend application deadline.

7:13 PM – West Glacier Vision Plan Update. The committee had a meeting with the County Commissioners last week. The Plan was denied 2 to 1 with a lot of discussion. Since then, they have set up individual/separate meetings with the 2 Commissioners that denied it to discuss their concerns and, where applicable, make adjustments accordingly.

NEW BUSINESS 7:14 PM

None

OTHER DISCUSSION AND COMMUNITY REPORTS 7:14 PM

None

ADJOURNMENT 7:15 PM

The meeting was adjourned at 7:15pm by Victoria Lee. The next meeting will be held January 31, 2023, 6:00 PM. Location: Coram-West Glacier Volunteer Fire Department.

Aubrie Loroña, Chairman

Lexi Woods, Recording Secretary

Persons with a disability may request a reasonable accommodation by contacting Elaine Nelson at the Flathead County Commissioner's Office at 758-5501 or TTY (800) 335-7592, or call Montana Relay at 711. Requests should be made as early as possible to allow time to arrange the accommodation. Any communication with the Flathead Planning and Zoning Office are subject to relevant State and Federal public record and information laws and regulations and may be disclosed without further notice to you.

How to contact the Middle Canyon Land Use Committee (MCLUAC)

All correspondence goes to the Flathead Planning Office initially. Concerns, complaints or questions should be sent to Planning.zoning@flathead.mt.gov; the office will respond within 24 hours.

Compliance complaints can be submitted by Middle Canyon residents by completing the compliant form provided online, attached to an email to the Planning.zoning@flathead.mt.gov office. Forms are also available at the Flathead County Planning and Zoning Office, 40-11th Street W, Kalispell MT

Code compliance web page:

https://flathead.mt.gov/planning_zoning/codecompliance.php

Complaint violation form:

https://flathead.mt.gov/planning_zoning/documents/ComplaintFormupdated12.19.16.pdf